

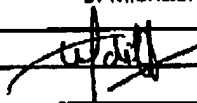
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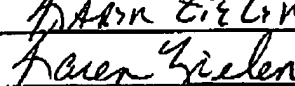
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/593,316	
	Filing Date	June 13, 2000	
	First Named Inventor	John Clark, et al.	
	Art Unit	1631	
	Examiner Name	Qian J. Li	
Total Number of Pages in This Submission	7	Attorney Docket Number	730/002

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached Supplemental Amendment/Reply (2 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Declaration Under 37 CFR 1.132 by Ian Wilmut (4 pages)		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	J. Michael Schiff, Registration No. 40,253	
Signature		
Date	Sept 23/04	

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Name

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: J. Clark & C. Denning

Filing Date: June 13, 2000

Serial No: 09/593,316

Docket: 730/002

Title: ANIMAL TISSUE FOR
XENOTRANSPLANTATION

Art Unit: 1632

Examiner: Qian J. Li, Ph.D.

SUPPLEMENTAL RESPONSE

Commissioner for Patents
Alexandria VA 22313

Dear Sir,

The most recent Office Action on the merits was dated January 30, 2004. Applicants filed arguments on July 30, 2004, which was fully responsive to the issues raised in the Office Action.

Enclosed herewith is a Declaration by Dr. Ian Wilmut, which provides further support for applicant's position that the claimed invention is enabled by the application as filed. Entry of this paper and the Declaration into the file is requested to advance prosecution of the application.

Dr. Wilmut explains that genetically modified animals can readily be made by the methods described in U.S. patents describing nuclear transfer, and provides a number of illustrations. He also explains that the early death of $\alpha(1,3)$ galactosyltransferase knockout sheep fetuses reported in the Denning article is often observed in cloned animals, and not attributable to an effect from the $\alpha(1,3)$ GT

PATENT
09/593,316
Docket 730/002

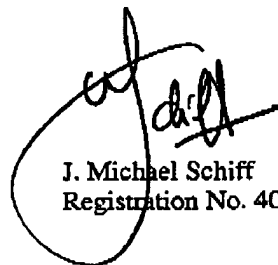
gene. He explains that the sheep $\alpha 1,3\text{GT}$ gene provided in this application can be used to make $\alpha 1,3\text{GT}$ knockout sheep, just as the pig $\alpha 1,3\text{GT}$ gene has been used to make $\alpha 1,3\text{GT}$ knockout pigs.

The Declaration further substantiates applicant's position expressed in responses filed on March 31, 2003 and July 30, 2004; and in the Appeal Brief filed September 4, 2003. Even if it takes several attempts to obtain a working example because of a low frequency of successful cloning events, there is no undue experimentation involved. The skilled reader simply repeats the procedure until a $\alpha 1,3\text{GT}$ knockout sheep is obtained.

Applicant respectfully requests that all outstanding rejections be withdrawn, and a prompt Notice of Allowance be mailed. In the event that the Examiner determines that there are other matters to be addressed, applicant hereby requests an interview by telephone.

No fee is believed due for entry or consideration of this paper or the enclosed Declaration. However, should the Patent Office determine that an extension of time or any other relief is required for further consideration of this application, applicant hereby petitions for such relief, and authorizes the Commissioner to charge the cost of such petitions and other fees due in connection with the filing of these papers to Deposit Account No. 07-1139, referencing the docket number indicated above.

Respectfully submitted,



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September 3, 2004

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